

CLEAN AIR ACT

R6-7-100. Approval of State Rules and Programs for Hazardous
Air Pollutants

1. AUTHORITY.

- a. To approve or disapprove State requests to implement and enforce unchanged Federal section 112 emission standards, pursuant to subsection 112(l) of the Clean Air Act, using criteria defined in 40 CFR 63.91, and to notify the State of such actions.
- b. To approve or disapprove State rules that adjust a Federal section 112 rule, using criteria defined in 40 CFR 63.91 and 63.92, and to notify the State of such actions.
- c. To approve or disapprove State rules and requirements that substitute for a Federal section 112 rule, using criteria defined in 40 CFR 63.91 and 63.93, and to notify the State of such actions.
- d. To approve or disapprove State programs that serve as substitutes for section 112 emission standards, using criteria defined in 40 CFR 63.91 and 63.94, and to notify the State of such actions.
- e. To approve or disapprove State Accidental Release Prevention Programs, using criteria defined in 40 CFR Part 63.91, 63.92, or 63.93 and 63.95, and to notify the State of such actions.
- f. To make completeness determinations pursuant to 40 CFR 63.91(a)(1), and to notify the State of such determinations.
- g. To make information requests pursuant to 40 CFR 63.96(a).
- h. To make determinations of adequacy for the purpose of withdrawing State rules or programs pursuant to 40 CFR 63.96(b), and to conduct withdrawal proceedings pursuant to 40 CFR 63.96(b).

Delegation of Authority from the
Regional Administrator

REGION 6
DELEGATION

TN-177
July 27, 1995

CLEAN AIR ACT

R6-7-100. Approval of State Rules and Programs for Hazardous
Air Pollutants (Contd.)

i. To approve or disapprove revisions to previously approved rules, programs, or other authorities pursuant to 40 CFR 63.91(c).

2. TO WHOM DELEGATED. The Director, Multimedia Planning and Permitting Division.

3. LIMITATIONS. Prior to exercising authorities 1.c., 1.d., 1.e. and 1.h., the delegatee shall afford the Assistant Administrators for the Office of Air and Radiation, the Office of Enforcement and Compliance Assurance, the Office of Solid Waste and Emergency Response (as applicable), and the General Counsel (Headquarters offices) an opportunity to review, and if necessary nonconcur on, a Region's proposed decision within 15 days after the regional office submits the draft final Federal Register notice to each of these Headquarters offices. EPA Headquarters will evaluate the need for a non-concurrence role three years from the date on which this delegation is approved.

4. REDELEGATION AUTHORITY. This authority may not be redelegated.

5. ADDITIONAL REFERENCES.

a. Subsection 112(l) of the Clean Air Act.

b. 40 CFR part 63, subpart E, "Approval of State Programs and Delegation of Federal Authorities."